



WEB COPY



W.P. No.35235 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.01.2023

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.35235 of 2022 and
W.M.P.No.34698 of 2022

C.Malarvannan

.. Petitioner

vs

1. The Joint Director of School Education (Personnel)
School Education, DPI Campus
Nungambakkam, Chennai - 600 006.

2. The Chief Educational Officer
District Collector Office, "B" Block
Sathuvacherri Post, Vellore - 9.

3. The District Educational Officer
Kasthamettu Street, Kosapettai, Vellore - 2.

4. The Block Educational Officer (BEO)
(earlier called as AEO)
Gudiyatham, Panchayat Union
Vellore District.

.. Respondents

Prayer : Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents particularly first respondent to consider the petitioner for appointment in any suitable post on compassionate grounds in Vellore District based on his educational qualification.

For Petitioner : Mr.P.I.Thirumoorthy

For Respondents : Ms.P.Vijaya Devi
Government Advocate



W.P. No.35235 of 2022

ORDER

This writ petition has been filed for a writ of Mandamus, seeking for a direction to the respondents, particularly the first respondent, to consider the petitioner for appointment in any suitable post on compassionate grounds in Vellore District based on his educational qualification.

2. The petitioner seeks for compassionate appointment on account of the death of his wife, Sunitha.D, who was working as a B.T.Assistant (English) Teacher with effect from 15.09.2010 in Mhoredhna Panchayat Union Middle School.

3. The petitioner categorically contends that he had submitted an application within the prescribed time and is also eligible for compassionate appointment. His representation is pending consideration by the first respondent. The last representation given by him was on 15.09.2022. Since his representations have not been considered, which includes his last representation, he has filed this writ petition.

4. Heard Mr.P.I.Thirumoorthy, learned counsel for the petitioner



W.P. No.35235 of 2022

and Ms.P.Vijaya Devi, learned Government Advocate, appearing for the respondents.

5. No prejudice would be caused to the respondents, if the petitioner's representations, as stated *supra*, is considered on merits and in accordance with law, within a time frame to be fixed by this Court.

6. For the foregoing reasons, this Court directs the first respondent to pass final orders, on merits and in accordance with law, on the petitioner's representation dated 15.09.2022, seeking for compassionate appointment in his favour on account of the death of his wife while she was in service, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the aforesaid direction, the writ petition is disposed of. There will be no order as to costs. Consequently, connected miscellaneous petition is closed.

Index: Yes/No
Internet: Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation: Yes/No
drm/nl

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ABDUL QUDDHOSE, J.

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